

REMARKS

Claims 1-12, and 14-15 are now pending in the application. The Applicant would like to thank the Examiner for the courtesies extended during the phone conference of March 23, 2004. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-2, 4-8, 10-12, and 14-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Maul et al. (U.S. Pat. No. 6,327,838). Claims 3 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Maul in view of Shirk et al. (U.S. Patent No. 6,056,314). Applicant respectfully traverses this rejection.

Each of the claims require only a single reciprocating piston. In this regard, the piston has an exterior which corresponds to an interior periphery of the tube. Maul teaches, in its first embodiment, compacting a cushion into a housing using a system which uses two movable pistons. The first piston corresponds to the tube, and the second piston is movable through the housing (see Figures 1a-1c).

In a second embodiment, Maul teaches compacting a cushion into a cover. Again, Maul uses two pistons, elements 10 and 30. In the third and fourth embodiments, the pistons are used as can be seen in Figures 3a-3e and 4a-4h. A careful review of the Maul reference shows that the systems are considerably different and, further, that Maul does not teach each and every limitation as claimed.

Serial No. 09/766,790

Page 7 of 8

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1243.

Respectfully submitted,

Dated: April 19 - 2004

By: 
Christopher A. Eusebi, Reg. No. 44,672

MARKELL SEITZMAN, REG. NO. 28,756
KEY SAFETY SYSTEMS, INC.
7000 NINETEEN MILE
STERLING HEIGHTS, MI 48314
(586) 726-3905
(586) 726-4172 (Fax)

CAE/smb

Serial No. 09/766,790

Page 8 of 8